

January 23, 2007

TO: J. Holly Leong
DLNR Personnel

FROM: Dennis Ihara
BOC

RE: CONCERNS

I have been informed by your office to make a statement regarding the two inter-department Harassment complaints filed against me by Ms. Nicole Gega-Chang who had also previously filed a Harassment complaint with the Hawaii Labor Relations Board (HLRB), and recently filed a Workers Compensation claim based on stress.

The first inter-department Harassment complaint of December 28, 2006, alleged that my "response to a concern was not becoming of a Deputy Registrar." This complaint was lodged via your office and noticed to Chairman Peter Young and Deputy Robert Masuda.

The second inter-department Harassment complaint of January 2, 2007, alleged that I was "not treating the branches fairly, making untrue statements, and... refuse to communicate with her because of the harassment complaint that she filed against you." This complaint was also lodged via your office and noticed to Chairman Young and Deputy Masuda.

Previously, Ms. Gega-Chang had retained an attorney who drafted a letter alleging Harassment by me, and also filing a complaint with the HLRB. In the HLRB complaint the Chair was named and Ms. Gega-Chang alleged that she was fearful of her safety here in the workplace because of me. The matter before HLRB is still pending.

A few weeks ago, Ms. Gega-Chang filed a Workers Compensation (WC) claim alleging stress caused by me. Perhaps it was an error, but your office sent me the WC forms to sign. I submitted my response with Deputy Masuda's knowledge and signature.

As a former practicing attorney, I see all the signs of impending litigation and/or contested Workers Compensation claim by Ms. Gega-Chang. I want to make it clear to all that upon the advice of the Attorney General's Office, I have only communicated to her with a witness and/or through the Chair's office, strictly regarding work matters. However, since my office is physically located next to Ms. Gega-Chang's cubicle, and also that the Chair has insistently demanded that we all "work together," I have had grave concerns for my own well being as Ms. Gega-Chang may further raise Harassment against me for whatever the reason.

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EXHIBIT 11

I have found that this Department has previously had situations of this nature between supervisor and employee, and to protect against liability, both parties were physically separated as soon as possible until the matter was resolved. As you may know, the State is responsible to protect its managers, or be held liable for non-action if in the event the situation escalates. As a manager, I have a right to be protected and advised against multiple untruthful allegations.

I need guidance from your Office immediately. Too much time has elapsed and Ms. Gega-Chang only continues to take things to the next level. If it is that past precedence has been a separation of the parties for the protection of everyone, please provide further information. If not, please provide information as to what other departments in the State system have done regarding this type of problem.

Your prompt attention will be greatly appreciated. Please let me hear from you on or before January 29, 2007, on this urgent matter.

Cc: Peter Young, Chair
Robert Masuda, Deputy
James Halverson, Esq.
David Fitzpatrick, Esq.

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